



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-653-A)

In re Application of:)	
)	
Chad A. Mirkin, et al.)	Examiner: J. Riley
)	
Serial No. 09/927,777)	Group Art Unit: 1645
)	
Filed: August 10, 2001)	Confirmation No. 6145
)	
For: Nanoparticles Having)	
Oligonucleotides Attached)	
There to and Uses Therefor)	

RESPONSE

BOX MISSING PARTS
Commissioner for Patents and Trademarks
Washington, D.C. 20231

Att: Customer Service Center
Initial Patent Examination Division

Sir:

This is a Response to the Notice of Incomplete Reply dated March 4, 2002 (copy enclosed). The Notice of Incomplete Reply indicates that while the PTO received the Applicant's reply dated January 15, 2002 to the Notice to File Missing Parts mailed October 16, 2002, no executed oath or declaration in compliance with 37 CFR 1.63 was submitted. The Applicant's respectfully transverse and refers to the documents:

Exhibit Tab

- Express Mail Label No. EL904285957US that includes a U.S. Postal Clerk's acknowledgement of documents that were transmitted on February 14, 2002.
- Excerpt from our Express Mail logbook indicating that a Supplemental Response to the Notice File Missing Parts dated October 16, 2002 and a Petition for Extension of Time were filed under Express Mail Label No. EL904285957US on February 14, 2002.

- c. PTO stamped return postcard with Express Mail Label No. EL904285957US. The postcard lists a Supplemental Response to Notice to File Missing Parts dated October 16, 2002, a Petition for Extension of Time and \$145.00 check. The postcard bears a Patent Office mail stamp acknowledging receipt of the documents on February 14, 2002.
- d. Transmittal letter listing the Supplemental Response, Petition for Extension of Time and check. The Transmittal letter includes an executed Express Mail Certificate under 37 CFR 1.10 and cites to Express Mail Label No. EL904285957US.
- e. Supplemental Response to Notice to File Missing Parts dated October 16, 2002 and attached executed Inventors Declaration and Petition for a 2nd month Extension of Time.
- f. U.S. Postal Service Track/Confirm statement that indicates that a package with Express Mail Label No. EL904285957US was accepted by the Postal Service on February 14, 2002 and delivered to the Patent Office on February 15, 2002.

The attached documents support that as per February 14, 2002, the Applicant's response to the Notice to File Missing Parts was completed. The Applicant's submit that no additional Petition for Extension of time is necessary or required at the present time.

Finally, the Notice of Incomplete Reply acknowledges receipt of the paper and computer copies of the Sequence Listing. This Notice requested certain revisions. One revision was to change the filing date of this application (Serial No. 09/927,777) from August 10, 2001 to January 15, 2002. This revision was not made because it is incorrect. The correct filing date of August 10, 2001 as indicated in the Notice of Incomplete Reply.

Attached is a paper copy of a substitute Sequence Listing and 3.5" diskette containing a computer readable copy of the Sequence Listing in accordance with 37 C.F.R. § 1.821(e). As requested by the Notice, Sections <220> - <223> have been inserted into SEQ ID NO. 57. In accordance with 37 C.F.R. §§ 1.821-1.825, the computer readable copy is identical to the paper copy filed with the disclosure of the application and the attached Sequence Listing. No new matter has been added to the application as a result of this submission.

Respectfully submitted,



Date: March 13, 2002

Emily Miao
Registration No. 35,285

McDONNELL BOEHNEN HULBERT & BERGHOFF
300 South Wacker Drive, Suite 3200
Chicago, Illinois 60606
Phone: 312-913-0001
Facsimile: 312-913-0002